

condemnation of 138 bottles of buttermilk tablets, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Parke, Davis & Co., Detroit, Mich., on or about May 28, 1928, and had been transported from the State of Michigan into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act. The article consisted of two lots labeled, respectively: "Lactone or Buttermilk Tablets Parke, Davis & Company Detroit, Mich. (10 tablets) One tablet to pint of milk. Use before March 26, 1929 0898-B" and "Buttermilk Tablets Lactone. One crushed tablet is sufficient for one pint of milk. This product should be used before Feb. 11, 1929 0318-E. \* \* \* Parke, Davis & Co. Detroit, Mich."

It was alleged in the libel that the article was adulterated in that a sterile product inactive in milk had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Buttermilk Tablets" was false and misleading and deceived and misled the purchaser when applied to a product incapable of producing buttermilk.

On August 20, 1928, Parke, Davis & Co., Detroit, Mich., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$20, conditioned in part that it be relabeled to comply with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16024. Misbranding and alleged adulteration of cottonseed meal. U. S. v. 80 Sacks of Cottonseed Meal. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 22315. I. S. No. 20650-x. S. No. 361.)**

On December 19, 1927, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 80 sacks of cottonseed meal, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Home Oil Mill Co., Decatur, Ala., September 29, 1927, and had been transported from the State of Alabama into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Guaranteed Analysis Owl Brand 36% Prime Cottonseed Meal \* \* \* Protein (Min.) 36.00%, Nitrogen (Min.) 5.76%, Fibre (Max.) 14.00%."

It was alleged in the libel that the article was adulterated in that a substance deficient in protein and nitrogen and containing excessive crude fiber had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the statements, "Thirty-six per cent Prime Cottonseed Meal, Guaranteed Analysis Protein (Min.) 36 per cent, Nitrogen (Min.) 5.76%, Fibre (Max.) 14 per cent," borne on the label, were false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On December 30, 1927, the Henry & Missert Feed Co. (Inc.), Buffalo, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment condemning the product as misbranded was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, conditioned that it should not be sold or otherwise disposed of contrary to law, and if offered for sale it be relabeled under the supervision of this department, in part: "Protein 34.00%, Fat 5.00%, Nitrogen 5.44%, Fibre 16.50%."

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16025. Misbranding of cottonseed meal. U. S. v. 400 Sacks of Cottonseed meal. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 22245. I. S. No. 23229-x. S. No. 297.)**

On December 1, 1927, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed meal, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Southern Cotton Oil Co., Montgomery, Ala., November 22, 1927, and transported from the State of Alabama into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "100 Lbs. Net Helmet Brand Prime Cottonseed meal, Ashcraft Wilkinson Co., Atlanta, Ga. Guaranteed Analysis Protein minimum 41 per cent."

It was alleged in the libel that the article was misbranded in that the statement "Protein minimum 41 per cent," borne on the label, was false and misleading and deceived and misled the purchaser.

On December 12, 1927, the Ashcraft Wilkinson Co., Atlanta, Ga., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned that it should not be sold or otherwise disposed of contrary to law, and if sold that it be relabeled under the supervision of this department to show the protein content of 39.5 per cent.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16026. Adulteration of frozen poultry. U. S. v. 1 Box of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23022. I. S. No. 03003. S. No. 1081.)**

On August 28, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 box of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Morris Poultry & Egg Co., from St. Joseph, Mo., on or about August 4, 1928, and had been transported from the State of Missouri into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 12, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16027. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23028. I. S. No. 03016. S. No. 1116.)**

On August 28, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by E. L. McKinley, from Piqua, Ohio, on or about August 14, 1928, and had been transported from the State of Ohio into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 12, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16028. Adulteration of raisins. U. S. v. 251 Cases of Raisins. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22831. I. S. No. 25959-x. S. No. 892.)**

On June 22, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 251 cases of raisins, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the A. W.